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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/827,026
Filing Date	4/5/01
First Named Inventor	Ellis, et al.
Art Unit	2115
Examiner Name	D. Butler
Attorney Docket Number	00750445AA

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition - 1 month EOT (with check)

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 09-0456
- i. ☒ RCE fee required under 37 CFR 1.17(e) 01/18/2005 JADD01 00000053 090456 09827026
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 02 FC:1801 790.00 DA
- iii. ☒ Other deficiencies
- b. ☒ Check in the amount of \$ 120.00 (EOT fee) enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print / Type)

Michael E. Whitham

Registration No. (Attorney / Agent)

32,635

Signature

Date

Jan. 14, 2005

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)

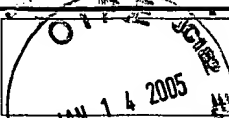
Signature

Date

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RICE -

	TRANSMITTAL LETTER (General - Patent Pending)	Docket No. 00750445AA
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Re Application Of: **Ellis, et al.**

Application No. 09/827,026	Filing Date 4/5/01	Examiner D. Butler	Customer No. 30743	Group Art Unit 2115	Confirmation No. 4853
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Title: **Automatic Timing Analyzer**

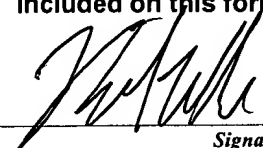
COMMISSIONER FOR PATENTS:

Transmitted herewith is:

RCE (charge \$790.00 to Dep. Acct 09-0456-IBM-Burlington)
Petition for 1 month EOT with check \$120.00
Postcard

in the above identified application.

- ☐ No additional fee is required.
 - ☒ A check in the amount of **\$120.00** is attached.
 - ☒ The Director is hereby authorized to charge and credit Deposit Account No. **09-0456 (IBM)** as described below.
 - ☒ Charge the amount of **\$790.00**
 - ☒ Credit any overpayment.
 - ☒ Charge any additional fee required.
 - ☐ Payment by credit card. Form PTO-2038 is attached.
- WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**



Signature

Dated: **Jan. 14, 2005**

Michael E. Whitham
Reg. No. 32,635

Whitham, Curtis & Christofferson, PC
11491 Sunset Hills Road - #340
Reston, VA 20190
Customer No. 30743

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CC: